

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION

ORDER NO. R5-2007-XXXX

WASTE DISCHARGE REQUIREMENTS  
FOR  
SHASTA LAKE RESORTS LIMITED PARTNERSHIP  
DBA SUGARLOAF RESORT  
AND  
U.S. DEPARTMENT OF AGRICULTURE FOREST SERVICE  
SHASTA COUNTY

The California Regional Water Quality Control Board, Central Valley Region (hereafter Regional Water Board), finds that:

1. Waste Discharge Requirements (WDRs) Order No. 5-001-230, adopted by the Regional Water Board on 7 September 2001, prescribed requirements for the discharge of wastes from Sugarloaf Resort to an on-site sewage treatment and disposal system. Shasta Lake Resorts Limited Partnership and the U.S. Department of Agriculture, Forest Service (hereafter Discharger) submitted a Report of Waste Discharge (ROWD), dated 11 September 2006, requesting revised Waste Discharge Requirements (WDRs) for Sugarloaf Resort to include an enlarged on-site sewage treatment and system.
2. The resort is operated by the Shasta Lake Resorts Limited Partnership under a special use permit from the U.S. Department of Agriculture, Forest Service, who administers the property (Assessor's Parcel No. 085-060-010) for the public.
3. The resort and marina are in Section 26, T35N, R5W, MDB&M, as shown on Attachment A, which is attached and made part of this Order. The site topography is relatively steep (25 to 30 percent), sloping toward Shasta Lake. The surrounding land use includes undeveloped, commercial and residential property.
4. The facility consists of a marina, and private residence (mobile home) as shown on Attachment B, which is attached and made part of this Order. Prior to September 2006, approximately 186,000 gallons of wastewater (toilet waste) from the marina was pumped to a septic tank and leachfield disposal system annually. However, annual wastewater flow rates have been reported up to 230,000 gallons (*2002 monitoring data*). Wastewater flow rates are greatest during the months of May through September.
5. In 2000, a survey of Shasta lake marinas found that a variety of deodorizing chemicals are used in commercial houseboat sewage holding tanks with chemical constituents that may include but are not limited to, ammonium nitrate, calcium nitrate, n-alkyl dimethyl benzyl ammonium chloride, n-alkyl dimethyl benzyl ethyl ammonium chloride, formaldehyde, alkoxylated linear primary alcohol, gluteraldehyde, methanol, and ethoxylated nonylphenol. The deodorizing chemicals used in sewage holding tanks of private houseboats, cabin cruisers, and small portable toilets are unknown.

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6. On 6 September 2001, the Regional Water Board adopted Resolution No. 05-01-211 authorizing the Executive Officer to enter into a memorandum of understanding (MOU) with the U.S. Department of Agriculture, Forest Service (Forest Service), to eliminate gray water discharges from houseboats to Shasta Lake after 6 September 2006. In January 2004, the Executive Officer and Forest Supervisor signed MOU No. 04-MU-11051458-004. Capturing graywater is expected to contribute two to three times the volume of wastewater.
7. An enlarged on-site sewage treatment and disposal system was constructed to accommodate the increased waste flow rates. The expanded system includes three 5,000-gallon septic tanks in series and a 10,000-gallon surge tank (former septic tank) with a pump vault. The system is designed to treat and dispose up to 8,400 gallons of wastewater per day. A two-inch force main carries the effluent to the disposal field. At the disposal field, effluent enters a splitter box where flow is diverted to four zones of leach lines (1,600 total liner feet of leachline, 400 feet per zone). Zone 4 consists of the facilities old leachfield installed approximately two years ago. Leachfields are constructed using equalizer chambers, manufactured by Infiltrator Systems Inc. The chambers are 24-inches in width, and 13.5-inches in height. A minimum of 12-inches of soil covers the chambers.
8. Gray water is defined in MOU No. 04-MU-1151458-004 as water generated from showers, kitchen sinks, bathroom sinks, wet bars, dishwashers, and washing machines.
9. The Discharger operates 26 commercial houseboats. Several of the commercial houseboats are equipped with hot tubs. The hot tub wastewater is removed through the marina's sewage pump-out system and disposed in the septic tank leachfield system.
10. The Discharger treats the hot tub water with Baquaspa<sup>TM</sup> Shock and Baquaspa<sup>TM</sup> Sanitizer. According to the Material Safety Data Sheets, Baquaspa<sup>TM</sup> Shock contains 7.5% hydrogen peroxide and Baquaspa<sup>TM</sup> Sanitizer contains 20% poly hexamethylene biguanide hydrochloride water, blue dye, and perfume, and is toxic to fish.
11. An undetermined quantity of domestic wastewater from the mobile home discharges to a separate septic tank and leachfield system.
12. Wastes may also be discharged to Shasta Lake as a result of marina operations such as the refueling of vessels, storage of fuel, storage of chemicals, and maintenance of the facilities (including cleaning, washing, and refurbishing of rental houseboats). During the cleaning process, the Discharger uses water and a dilute solution of cleaning agent. The wastewater from the houseboat cleaning is directly discharged to Shasta Lake.

13. Gasoline is stored in an aboveground tank that floats on a frame above Shasta Lake. The fuel is transferred to several dispensers on the marina dock. Small quantities of other petroleum products are stored at various locations throughout the facility in aboveground tanks having secondary containment. The Discharger monitors the aboveground tanks in accordance with their Spill Prevention Control and Countermeasure Plan.
14. Storm water flow from the facility discharges to Shasta Lake. The Discharger's vessels are transported to Shasta Lake Resorts Limited Partnership dba Jones Valley Resort for major boat repair (including engine overhaul, the removal of aquatic growth, loose paint from vessel hull, and re-painting). Therefore, Sugarloaf Resort has eliminated all industrial activities subject to the federal industrial storm water regulations.

#### **DESCRIPTION OF SITE**

15. Sugarloaf Resort lies within the Shasta Dam Hydrologic Unit (506), Shasta Lake Hydrologic Area (506.10) Calwater 2.1. According to the U.S. Department of Agriculture, Forest Service Soils Inventory, the underlying soil consists of light brown, gravelly clay loam to a depth of over 40 inches underlain by highly weathered fractured greenstone or andesite. The average percolation rate of native soils is 6.6 minutes per inch (Source: Pace Civil Inc.).
16. The average annual rainfall is approximately 60 inches and the average annual evaporation rate is approximately 70 inches (Shasta Dam Station, U.S Bureau of Reclamation).
17. Drinking water is collected from Charlie Creek, through the Lakeshore Heights Mutual Water Utility. The water is treated prior to distribution. An adjacent commercial property, Sugarloaf Cottages, receives their water from a private well installed more than 300 feet from the Discharger's leachfield. Shasta County Department of Resource Management regulates drinking water from the on-site well, Lakeshore Heights Mutual Water Utility, and Sugarloaf Cottages.
18. Each houseboat is equipped with potable and non-potable water supplies. The houseboat's potable water is received from Sugarloaf Resort's domestic water supply. The non-potable water is pumped from Shasta Lake, directly beneath the houseboat.

#### **CEQA AND OTHER CONSIDERATIONS**

19. The action to revise waste discharge requirements for ongoing operations of the existing Facility is exempt from the provisions of the California Environmental Quality Act (Public Resources Code Section 21000, et seq.).

20. The *Water Quality Control Plan for the Sacramento River and San Joaquin River Basins, Fourth Edition*, (Basin Plan) designates beneficial uses, establishes water quality objectives and contains implementation plans and policies adopted by the State Water Board. Pursuant to California Water Code Section 13263(a), waste discharge requirements must implement the Basin Plan.
21. The Basin Plan designates the beneficial uses of Shasta Lake as municipal and domestic supply; agricultural supply; industrial supply; hydropower generation; water contact recreation; non-contact water recreation; warm freshwater habitat; cold freshwater habitat; spawning reproduction and/or early development; wildlife habitat; and navigation. Surface water drainage is to Shasta Lake, a tributary of the Sacramento River.
22. The Basin Plan designates the beneficial uses of underlying groundwater as municipal and domestic supply, agricultural supply, industrial service supply, and industrial process supply.
23. The Basin Plan establishes numerical and narrative water quality objectives for surface water and groundwater within the basin. Water quality objectives are the limits or levels of water quality constituents established for reasonable protection of beneficial uses of water or the prevention of nuisances.
24. State Water Resources Control Board Resolution No. 68-16 Statement of Policy with Respect to Maintaining High Quality of Waters of the State (a.k.a. Antidegradation Policy), requires the Regional Water Board in regulating the discharge of waste to maintain high quality waters of the state until it is demonstrated that any change in quality will be consistent with maximum benefit to the people of the State, will not unreasonably affect beneficial uses, and will not result in water quality less than that described in Regional Water Board policies. This Order requires effluent and groundwater monitoring to assure continued protection of beneficial uses of waters of the state.
25. Existing groundwater monitoring data for the Facility is inadequate for determining compliance with Resolution 68-19. Therefore, in order to determine compliance with Resolution 68-19, regular groundwater monitoring must be conducted to establish downgradient groundwater concentrations for selected constituents.
26. The local economy is sustained substantially by recreational activities on Shasta Lake, therefore continued operation of the marina is important to the economic vitality of the region. Prior to implementation of the MOU No. 04-MU-1151458-004, gray water was directly discharged to surface waters (Shasta Lake). Removing the direct discharge of waste to surface waters and discharging the waste to a disposal field will result in additional treatment, which otherwise would not have occurred, thus providing greater protection to waters of the state and benefiting the people of California.

27. California Water Code Section 13267 states, in part, that:

"In Conducting an investigation specified in subdivision (a), the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste within its region, or any citizen or domiciliary, or political agency or entity of this state who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge, waste outside of its region that could affect the qualities of the waters within its region shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports. The regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports."

28. The monitoring and reporting program required by this Order is necessary to assure compliance with these waste discharge requirements.

### **PROCEDURAL REQUIREMENTS**

29. The Regional Water Board notified the Discharger and interested agencies and persons of its intent to prescribe revised waste discharge requirements for the discharges of waste to land, and has provided them with an opportunity for a public hearing and an opportunity to submit their written views and recommendations.

30. The Regional Water Board, in a public meeting, heard and considered all comments pertaining to the revision of Waste Discharge Requirements.

31. Any person adversely affected by this action of the Regional Water Board may petition the State Water Resources Control Board to review the action in accordance with Sections 2050 through 2068, title 23, California Code of Regulations. The petition must be received by the State Board Office of Chief Council, P.O. Box 100, Sacramento, CA 95812-0100, within 30 days of the date the action was taken. Copies of the law and regulations applicable to the filing of a petition are available on the Internet at [http://www.swrcb.ca.gov/water\\_laws/index.html](http://www.swrcb.ca.gov/water_laws/index.html) and will be provided upon request.

IT IS HEREBY ORDERED, pursuant to Sections 13263 and 13267 of the California Water Code, that Order No. 94-018 is rescinded, and that Shasta County, its agents, successors, and assigns, in order to meet the provisions of Division 7 of the California Water Code and the regulations adopted thereunder, shall comply with the following:

**A. Discharge Prohibitions**

1. The discharge of 'hazardous waste' at this Facility is prohibited. For the purpose of this Order, the terms, 'hazardous waste' and 'designated waste' are defined in Title 27, California Code of Regulations (CCR).
2. The discharge of wastewater, from hot tub treatment or use, to surface waters or surface water drainage courses is prohibited.
3. The by-pass or overflow of untreated or partially treated wastewater from the sewage disposal system is prohibited.
4. The discharge of gray water from houseboats to surface waters is prohibited.
5. The discharge of solid or liquid waste or pollutants, to groundwater, surface water, or surface water drainage courses is prohibited.

**B. Discharge Specifications**

1. Neither the treatment nor the discharge of waste shall cause a nuisance or condition of pollution as defined by the California Water Code, Section 13050.
2. The domestic wastewater discharge from the marina to the leachfield shall not exceed 8,400 gallons per day.
3. The discharge shall not cause degradation of any water supply.
4. The discharge shall remain within the designated disposal area at all times.
5. The treatment facilities shall be designed, constructed, operated, and maintained to prevent inundation or washout due to floods with a 100-year return frequency.
6. Objectionable odors originating at this facility shall be investigated, and failing treatment system components shall be repaired.
7. Solid waste shall be properly contained to prevent waste or leachate from entering surface waters.
8. Deodorizing chemical and chemicals used for houseboat and facility maintenance shall be stored in containment designed to prevent discharges to groundwater, surface water, or surface water drainage courses.

### C. Provisions

1. The Discharger shall comply with Monitoring and Reporting Program No. \_\_\_\_\_, which is part of this Order, and any revisions thereto as ordered by the Executive Officer.
2. The Discharger shall submit **by 1 September 2007** a work plan to install a groundwater detection monitoring network in accordance with Title 27, CCR.
3. The Discharger shall comply with all the items of the "Standard Provisions and Reporting Requirements for Waste Discharge Requirements (Standard Provisions)," dated 1 March 1991, which are part of this Order.
4. The Discharger shall dispose of collected sludges, and other solids removed from waste disposal systems in a manner that is consistent with Title 27, of the CCR and approved by the Executive Officer.
5. The Discharger shall comply with the standards contained in CCR, Title 23, Division 3, Chapter 20, Sections 2815 through 2829, *Standards for the Removal of Sewage from Vessels*.
6. The Discharger shall comply with the standards contained in the CCR, Chapter 6.67, Health and Safety Code, Sections 25270-25270.13, *Aboveground Storage of Petroleum*.
7. The Discharger shall report to the Regional Water Board any material change or proposed change in character, location, or volume of the discharge or chemical or cleaning agents used.
8. In the event of any change in control or ownership of land or waste discharge facilities described herein, the Discharger shall notify the succeeding owner or operator of the existence of this Order by letter, a copy of which shall be immediately forwarded to the Regional Water Board.
9. The U.S. Department of Agriculture, Forest Service, as administrator of the property at which the discharge occurs, is ultimately responsible for ensuring compliance with these requirements. Shasta Lake Resorts Limited Partnership retains primary responsibility for compliance with these requirements, including day-to-day operations and monitoring. Enforcement actions will be taken against the U.S. Department of Agriculture, Forest Service only in the event that enforcement actions against Shasta Lake Resorts Limited Partnership are ineffective or would be futile.

10. A copy of this Order and its attachments shall be maintained at Sugarloaf Resort and the U.S. Department of Agriculture, Forest Service local office for reference by key operating personnel.

11. The Regional Water Board will review this Order periodically and revise requirements when necessary.

I, PAMELA C. CREEDON, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on \_\_\_\_\_.

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PAMELA C. CREEDON, Executive Officer

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5/30/2007

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